

Claims 38-42 are also rejected for indefiniteness under 35 USC § 112, second paragraph, based on the term "including." It is the position of the Office that this term renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. With the instant Amendment, Claims 39, 41, and 42 have been deleted, and Claims 38 and 40 have been amended to delete the phrase "including a human." New method Claims 43 and 44, which are directed to treating a human and which are dependent on Claims 38 and 40, respectively, have also been added. Reconsideration and withdrawal of the indefiniteness rejection is respectfully requested.

Finally, with the instant Amendment, new Claim 45, directed to pharmaceutical composition comprising a compound of Claim 29, has been added. Support for this amendment may be found at page 6 of the instant specification as well as in the original claim set filed in the PCT application (PCT/FR2003/003274) to which the instant application claims priority.

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Accordingly, entry of the present amendment and the RAULT Declaration, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned agent has made an earnest effort to place this application into condition for immediate allowance. If she can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call her at her below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By: 
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Enclosure: RAULT Declaration and Accompanying References; Form PTO-1449;
Listing of Claims; Fee for One (1) Month Extension; and Postal Card
Receipt

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**THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER
OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION,
DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO
DEPOSIT ACCOUNT NO. 08,3220.**